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MISSOULA, MT

2007 MAY 2 PM 2 58

PATRICK E. DUFFY

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA BY
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAUSE NO. CR 07-1-M-DWM

FINDINGS & RECOMMENDATION
OF UNITED STATES
MAGISTRATE JUDGE

DUSTIN AVERY SPANGLE,

Defendant.

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to the charge of conspiracy, in violation of 18 U.S.C. § 371, as set forth in the Indictment.

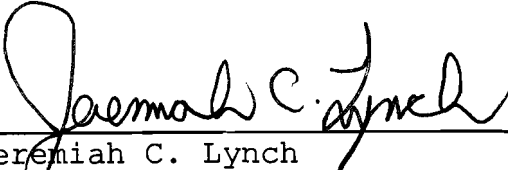
After examining the Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a guilty plea was entered contained each of the essential elements of the offense.

The Court further concludes that the Defendant had adequate

time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. I recommend that the Defendant be adjudged guilty and that sentence be imposed.¹ A presentence report has been ordered.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.

DATED this 2nd day of May, 2007.


Jeremiah C. Lynch
United States Magistrate Judge

¹ Objections to these Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P. 59(b)(2).